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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/767,117	01/22/2001	Yutaka Ueda	01026/LH	2095

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EXAMINER

EBRAHIMI DEHKORDY, SAEID

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/767,117	Applicant(s) UEDA ET AL.	
	Examiner Saeid Ebrahimi-dehKordy	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-45 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-45 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2001 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claim 1-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Ohtsuka et al (U.S. patent 6,788,425)

Regarding claim 1 Ohtsuka et al disclose: A print order receiving device (please note Fig.1 item 10, column 4 lines 44-45) comprising; a display screen (please note Fig.1 item 12, column 4 lines 52-54) an image data inputting section for inputting original image data of a customer (please note Fig.1 item 3, column 4 lines 44-51) a memory (please note Fig.3 item 33, column 5 lines 41-46) object operating means capable of processing the original image data as an original image object on the display screen for a print order (please note Fig.3, column 5 lines 32-44) and editing by combining plural objects including the original image object (please note column 9 lines 31-40) and print order information producing means for producing print order information on the basis of a result of the operation for the objects (please note column 9 lines 40-43) wherein the print order information producing means produces text data in which operation information corresponding to the content of the operation for the plural objects is

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correlated with an address at which image data of the composed original image object is present and the print order information producing means stores the text data in the memory (please note column 4 lines 60-67 and column 5 lines 1-6 where the text data of the print order as shown in Fig.2 are stored).

Regarding claim 2 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the text data is stored in the memory as a text file (please note column 4 lines 60-67 and column 5 lines 1-6).

Regarding claim 3 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the operation information corresponds to at least one of operations of a color conversion, a rotation, a deformation and a size change for the original image object and the operation information is described in the text data as data made to correspond to the image object (please note column 5 lines 4-5 and column 9 lines 15-18).

Regarding claim 4 Ohtsuka et al disclose: The print order receiving device set forth in claim 3, wherein the content of the operation is substituted by a text without directly processing original image data of a customer (please note column 5 lines 1-6).

Regarding claim 5 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the plural objects include a character object corresponding to character string data the object operating means is capable of combining the original image object with the character object and the operation information includes an operation for the character object (please note column 5 lines 44-50).

Regarding claim 6 Ohtsuka et al disclose: The print order receiving device set forth in

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claim 1, wherein the plural objects include a second image object for a specified template, the object operating means is capable of operating a layout between the second image object and the original image object and the operation information includes a content of an operation corresponding to the layout as text data (please note column 6 lines 9-21).

Regarding claim 7 Ohtsuka et al disclose: The print order receiving device set forth in claim 6, wherein the operation information includes the kind and the property of a layout frame to arrange image objects (please note column 9 lines 15-18).

Regarding claim 8 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the print order information producing means produces a path corresponding to a folder for storing the text data (please note column 5 lines 1-4).

Regarding claim 9 Ohtsuka et al disclose: The print order receiving device set forth in claim 8, wherein the name of the path includes an order ID indicating uniquely the print order information (please note column 6 lines 44-49).

Regarding claim 10 Ohtsuka et al disclose: The print order receiving device set forth in claim 8, wherein the image data of a customer and the text data are stored in the folder (please note column 6 lines 44-47).

Regarding claim 11 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the address and the operation information are described in a specified format on the text data (please note column 6 lines 39-55).

Regarding claim 12 Ohtsuka et al disclose: The print order receiving device set forth in claim 11, wherein the address and the operation information are described together with

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a reserved word on the text data (please note column 5 lines 58-65).

Regarding claim 13 Ohtsuka et al disclose: The print order receiving device set forth in claim 12, wherein the text data is stored in a memory as a text file (please note column 4 lines 60-67 and column 5 lines 1-5).

Regarding claim 14 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the print order information producing means produces a thumbnail image indicating a result of an operation for the plural objects, and the print order information producing means stores the thumbnail image coupled with the text data in a memory (please note column 9 lines 56-65).

Regarding claim 15 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the print order information producing means produces text data including at least one of information regarding a shop in which reception of a photograph has been made information regarding the customer and information regarding billing (please note column 4 lines 65-67 and column 5 lines 1-4).

Regarding claim 16 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the inputting section comprises a memory slot and reads in image data from a removable medium in which image data of a customer are stored (please note column 6 lines 24-33).

Regarding claim 17 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the memory is a memory capable of storing at least image data of a customer and the memory stores the text data together with the image data of a customer (please note column 5 lines 40-49).

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Regarding claim 18 Ohtsuka et al disclose: The print order receiving device set forth in claim 17, wherein the memory storing the print order information is a removable medium (please note column 4 lines 46-54).

Regarding claim 19 Ohtsuka et al disclose: The print order receiving device set forth in claim 17, further comprising data transferring means wherein the print order information is capable of being transferred from the memory through the data transferring means to the outside (please note column 3 lines 21-33).

Regarding claim 20 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the text data includes, for each object, text data to restrict or prohibit at least one of operations of a rotation, a movement, and an enlargement or a reduction (please note column 9 lines 15-25).

Regarding claim 21 Ohtsuka et al disclose: The print order receiving device set forth in claim 20, wherein the plural objects include a character object corresponding to a character string data, and if the object is a character object, the rotation of the object is prohibited (column 9 lines 10-22).

Regarding claim 22 Ohtsuka et al disclose: The print order receiving device set forth in claim 1, wherein the print order information includes at least one of data specifying a customer and data specifying a shop (please note column 10 lines 6-12).

Regarding claim 23 Ohtsuka et al disclose: A print receiving producing system (please note Fig.1 item 10, column 4 lines 44-45) comprising a print order receiving device (please note Fig.1 item 10, column 4 lines 44-45) an image forming apparatus for producing prints (please note Fig.3 item 34 the printer) and data transferring means for

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transmitting print order information from the print order receiving device to the image forming apparatus (please note column 10 lines 51-58) wherein the print order receiving device comprises a display screen (please note Fig.1 item 12, column 4 lines 52-54) an image data input section for inputting original image data of a customer (please note Fig.1 item 3, column 4 lines 44-51) a memory (please note Fig.3 item 33, column 5 lines 41-46) object operating means capable of combining and editing plural objects including an original image object corresponding to the original image data on the display screen order (please note Fig.3, column 5 lines 32-44) and print order information producing means for producing print order information on the basis of a result of an operation (please note column 9 lines 40-43) wherein the print order information producing means produces text data in which operation information corresponding to a content of the operation for the original image object is correlated with an address at which image data of the composed original image object are present and the print order information producing means stores the text data in the memory (please note column 4 lines 60-67 and column 5 lines 1-6 where the text data of the print order as shown in Fig.2 are stored) and wherein when the image forming apparatus receives print order information the image forming apparatus the image forming apparatus reproduces an image corresponding to a result of an operation of the print order receiving device on the basis of the original image data in accordance with the text data in the print order information and practices a print production (please note column 4 lines 60-67 and column 5 lines 1-6 and column 7 lines 39-67 and column 8 lines 1-3).

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Regarding claim 24 Ohtsuka et al disclose: The print receiving producing system set forth in claim 23, wherein a removable medium is utilized for the data transferring means (please note column 6, lines 24-38).

Regarding claim 25 Ohtsuka et al disclose: The print receiving producing system set forth in claim 23, wherein a network is utilized for the data transferring means (please note column 10 lines 51-58).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 26-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ohtsuka et al (U.S. patent 6,788,425) in view of (Naito et al (U.S. patent 6,628,417)

Regarding claim 26 Ohtsuka et al disclose: A print order data product capable of being read by a computer, comprising: original image data ordered by a customer and stored in the folder (please note column 5 lines 32-45) and edition data stored in the folder and indicating the content of a composition for plural objects including the original image object corresponding to the original image data (please note column 5 lines 40-50) wherein the edition data is text data and is a text file in which first text data corresponding to an address of the original image data (please note column 5 lines 32-40) and second text data indicating an operation for combining the plural objects are paired and stored (please note column 4 lines 60-67 and column 5 lines 1-5). However

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Ohtsuka et al do not disclose: a data structure comprising a folder having an ID for specifying a print order of a customer. On the other hand Naito et al disclose: a data structure comprising a folder having an ID for specifying a print order of a customer (please note Fig.10 item 201 where the print order and other information regarding the print job are listed in the table, column 22 lines 23-30). Therefore it would have been obvious to a person of ordinary skill in art at the time of the invention to modify Ohtsuka et al's invention according to the teaching of Naito et al, where Naito et al in the same filed of endeavor teach the way the print order is specified by the user ID and user name for the purpose of making the retrieval of the images faster.

Regarding claim 27 Ohtsuka et al disclose: The print order data product set forth in claim 26, wherein the product is capable of being stored in a removable medium (please note column 6 lines 24-33).

Regarding claim 28 Ohtsuka et al disclose: The print order data product set forth in claim 26, wherein the product is capable of being transferred through a network (please note column 7 lines 56-61)

Regarding claim 29 Ohtsuka et al disclose: The print order data product set forth in claim 26, wherein the second text data in the order information file includes text data specifying the content of a composition of the original image object with another object (please note column 4 lines 60-67 and column 5 lines 1-6 and column 7 lines 49-56).

Regarding claim 30 Ohtsuka et al disclose: The print order data product set forth in claim 29, wherein the another object is an object corresponding to a template for pasting the original image (please note column 5 lines 42-48).

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Regarding claim 31 Ohtsuka et al disclose: The print order data product set forth in claim 30, wherein the second text data includes designation information for a layout frame for arranging the original image in a template (please note column 3 lines 15-20).

Regarding claim 32 Ohtsuka et al disclose: The print order data product set forth in claim 31, wherein the designation information for a layout frame includes at least one of the kind, position, size, and shape of the layout frame itself (please note column 9 lines 10-29).

Regarding claim 33 Ohtsuka et al disclose: The print order data product set forth in claim 31, wherein the second text data includes positional information the original image object with respect to the layout frame (please note column 3 lines 15-20).

Regarding claim 34 Ohtsuka et al disclose: The print order data product set forth in claim 29, wherein the another object is a character object corresponding to a character string (please note column 7 lines 45-53).

Regarding claim 35 Ohtsuka et al disclose: The print order data product set forth in claim 34, wherein the folder includes character data corresponding to a character and the text file holds an address corresponding to the character data as third text data (please note column 7 lines 45-60).

Regarding claim 36 Ohtsuka et al disclose: The print order data product set forth in claim 29, wherein the second text data corresponds to at least one of an angle of a rotation and a magnification of an object (please note column 9 lines 15-25).

Regarding claim 37 Ohtsuka et al disclose: The print order data product set forth in claim 26, wherein the order ID is produced from data specifying at least one of a

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customer, a shop and a date and time of reception (please note column 9 lines 54-56)

Regarding claim 38 Naito et al disclose: The print order data product set forth in claim 26, wherein the order ID includes an identifier indicating whether printing has not been finished or already finished (please note Fig.10 item 204 column 22 lines 30-33).

Regarding claim 39 Naito et al disclose: The print order data product set forth in claim 26, wherein the folder further includes identification data corresponding to a template image and the identification data is memorized as text data paired with the original image object (please note Figs.9&10 column 22 lines 22-60).

Regarding claim 40 Ohtsuka et al disclose The print order data product set forth in claim 26, wherein the folder further stores thumbnail image data corresponding to a result of a composition and wherein the thumbnail image data is image data produced on the basis of image data obtained by thinning out the original image data (please note column 55-60).

Regarding claim 41 Naito et al disclose: The print order data product set forth in claim 26, wherein the folder further includes at least one of the data specifying a customer and the data specifying a shop (please note Fig.10 item 201, column 22 lines 22-30).

Regarding claim 42 Ohtsuka et al disclose: The print order data product set forth in claim 26, wherein the folder further includes data concerning date and time (please note column 9 lines 54-57).

Regarding claim 43 Naito et al disclose: The print order data product set forth in claim 26, wherein the folder further includes data concerning a pass word of each customer (please note column 42 lines 64-67).

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Regarding claim 44 Ohtsuka et al disclose: The print order data product set forth in claim 26, wherein the text file includes, for each object, text data to restrict or prohibit at least one of operations of a rotation, a shift, and an enlargement or reduction (please note column 9 lines 15-18).

Regarding claim 45 Naito et al disclose: The print order data product set forth in claim 26, wherein the folder includes data concerning a kind of a recording medium to be subjected to printing (please note Fig.11 item 1104, column 23 lines 40-45).

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Said Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
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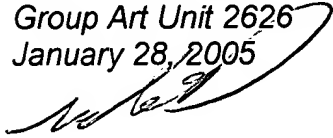
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Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
January 28, 2005



KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER